No 456
23/10/89

BHILS AND BHIL AGENCY.

1. Distraint is not to be had recourse to in the Bhil Agencies except with the cognizance of the Bhil Agent, * who can, if he thinks proper, represent to the Collector the advisability of staying proceedings, and of either granting remissions or allowing further time. (G. R. No. 47, dated 7th January 1874.)

2. It is not desirable to enforce revenue demands in a year of draught by harsh measures, but it is necessary to teach the Bhils to fulfil their engagements, and accordingly remissions should only be granted but sparingly, and every effort should be made in a good year to recover the arrears of a bad one. (G. R. No. 8776, dated 19th November 1889.)

3. A sum of money should be placed yearly in the hands of the Western Bhil Agent for supplying such Bhils as are willing to settle down quietly with bullocks wherewith to plough and grain to sow, on the understanding that the crops are to be considered the property of Government for the purpose of recovering the expenditure incurred, at the rate of one-third the outturn, the remainder being at the disposal of the cultivators themselves, a light plough assessment being paid by the latter in token of their ownership of the land. The cattle should also be branded and considered the property of Government until the advance is repaid.

The system of supplying the Bhils with bullocks in lieu of giving them cash wherewith to purchase them has the entire approval of Government. It is most advisable that these simple people should have as small a command as possible over the disposal of ready money. (G. Rs. Nos. 47, dated 7th January 1874, and 2291, dated 7th May 1874.)

4. The case of Bhils is different from that of other cultivators who may require advances, and loans may be granted to them without interest or security. (G. R. No. 1750, dated 17th March 1877.)

5. Very large sums should not be advanced unless there is a fair prospect of recovering them, but it is not expedient to fix any maximum limit. (G. R. No. 3173, dated 20th April 1885.)

6. No hard and fast rule can be laid down that fresh grants of takávi should not be made to those Bhils who had already once received it and paid it off, and that such loans should not be advanced to those who had for years past cultivated land without receiving assistance from Government. But the proper course for the Bhil Agent to follow is to discourage improvidence and encourge thrift and self-reliance among the Bhils.

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* Whenever it is possible, an Assistant Superintendent of Police will be stationed in Khándesh, and when such officer has passed his examinations, and is otherwise qualified, the duties of Western Bhil Agent should be performed by him. (G. R., P. D. No. 2455, dated 18th April 1890.)

The Bhil Agent should exercise great care and discretion in rejecting applications for fresh takávi advances from the old Bhil cultivators under the Agency. (G. Rs. Nos. 8958, dated 15th December 1890, and 574, dated 26th January 1892.)

7. The Collector of Khándesh is given discretionary power to exempt, as a special privilege, Bhils from assessment on account of the cultivation of alluvial lands. (G. R. No. 3473, dated 5th May 1883.)

8. The Collector of Khándesh may grant land to the Bhils under the Western Bhil Agency either rent-free for a term or at a reduced rate of assessment, a quarterly statement of such grants giving full particulars as to the area of land granted in each instance, its assessment, and the duration of the grant, together with the reasons for the grant, being submitted to the Commissioner. (G. R. No. 5262, dated 1st July 1884.)

9. The lands granted to the Bhils of the Khándesh District on leases at a reduced rate of assessment to keep them from crime should be continued to the lessees or their heirs so long as they cultivate the lands. (G. R. No. 1655, dated 11th March 1882.)

10. In 1868 the Collector of Khándesh issued a circular directing the insertion of a clause in the kabuláyats to be thereafter taken from the Bhils to the effect that a Bhil, to whom land was given free of charge for occupancy right for the purpose of cultivation, should, if he did not desire to retain the land, resign it to Government and should not transfer it to any other person. The acts of the Collector and his subordinates in taking such kabuláyats with effect from the date of the issue of the rules under the Land Revenue Code, are ratified. In future the form of kabuláyat sanctioned in Government Resolution No. 6210, dated 22nd August 1883, should be used in cases where Bhils are allowed to take up land without payment for occupancy right under the existing practice. (G. R. No. 7928, dated 26th October 1883.)

11. The Bhils, to whom Government have granted lands for cultivation in the Khándesh District free of occupancy price, are not entitled to the balance of the sale-proceeds of lands put to sale for the recovery of Government revenue, after the Government demands are satisfied. (G. R. No. 6806, dated 6th October 1887.)

12. The annual report on the working of the Western Bhil Agency in the Khándesh Collectorate should be forwarded to the Foreign Department of the Government of India and not to the Revenue and Agriculture Departments. (G. I., R. & A., No. 391-R-123-5, dated 8th August 1887.)

13. In the annual report on the working of the Western Bhil Agency, Khándesh, the area of land

given rent-free to the Bhils should be shown. (G. R. No. 485, dated 21st January 1886.)

14. The Bhil Agent is authorized to employ a pleader to represent the defendant, when a Bhil is sued in the Civil Court, whenever it appears to him to be desirable that such a course should be followed. Under these circumstances His Excellency the Governor in Council trusts that the High Court will issue orders * to the Subordinate Judges in Khándesh to inform the Bhil Agent when suits against Bhils are filed in their Courts. On the receipt of such information the Agent will in each case decide whether he should employ a pleader to defend the suit on behalf of the Bhil sued. (G. R. No. 6063, dated 24th September 1882.)

15. The provisions of the foregoing Resolution are extended so as to include cases in which Bhils are plaintiffs. The preliminary expense involved by the institution of the suit in the way of stamped paper can be met from the sum allowed to the office of the Bhil Agent as permanent advance, and, in case of the Bhil winning his suit, the money may be possibly recovered as damages from the party sued. (G. R. No. 7253, dated 13th September 1892.)

16. The Subordinate Judges in the Khándesh District should, whenever a decree is passed against a Bhil known to be such, send notice thereof to the Bhil Agent. (Letter from the Registrar, High Court, Appellate Side, No. 1323, dated 25th August 1887, to the District Judge, Khándesh; *vide* G. R. No. 6503, dated 27th September 1887.)

17. The work of Bhil Agent should, as far as possible, be concentrated in purely Bhil villages and with this view separate colonies of Bhils should be established, wherever tracts of waste land are available for the purpose in the western tálukas of Khándesh. (G. R. No. 8776, dated 19th November 1889.)

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* The orders were issued by the High Court in the following letter from the Registrar of the Court, Appellate Side, to the District Judge, Khándesh, No. 1265, dated 20th September 1882:—

"At the request of Government the High Court desires that you will request the Subordinate Judges in your District, whenever a suit is filed against a Bhil, to send a copy of the plaint to the Bhil Agent, in order that that officer may assist the defendant to retain a pleader if he thinks fit to do so. Postage will be paid by service stamps."

(G. R. No. 6869, dated 3rd October 1882.)